

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, SEPTEMBER 9, 2015
LEGISLATIVE CHAMBER, ROOM 314,
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Kevin Prestage, Chair; Michele Maresca, Vice Chair;
Commissioner: Kevin Ahern. Alternates: Liz Gillette, John
O'Donnell and Mishone Donelson; Todd Dumais, Town
Planner/TPZ Secretary; Patrick Alair, Deputy Corporation Counsel

ABSENT: Commissioners: Michael Seder and Paul Freeman; Catherine Dorau,
Associate Planner

ADJOURNMENT: Motion/Ahern; Second/Maresca (5-0). Meeting adjourned at
8:36 PM

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MINUTES:

Approval of Minutes:

- a. Minutes of the Regular Meeting, Wednesday, July 8, 2015 *Motion to approve.
Motion/Ahern; Second/O'Donnell (O'Donnell seated for Freeman)(Vote: 3 - 0).*
- b. Minutes of the Regular Meeting, Monday, August 3, 2015 *Motion to approve.
Motion/Gillette; Second/Donelson (Gillette seated for Seder)(Vote: 4 - 0).*

COMMUNICATIONS:

None.

**NEW BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON
SEPTEMBER 9, 2015:**

27 Waterside Lane– Application (IWW #1036) of Walid Simaan (owner) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes landscape improvements including tree stump removal, installing new vegetation, seeding and stabilizing disturbed areas within the 150 ft upland review area. (Submitted for IWWA receipt on September 9, 2015 and set directly for public hearing on September 9, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Maresca) (Gillette seated for Seder)(Donelson seated for Freeman) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

27 WATERSIDE LANE
INLAND WETLAND APPLICATION IWW #1036
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **27 Waterside Lane** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1036** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's environmentalist, Michael Klein of Environmental Planning Services, LLC has submitted a report dated August 17, 2015.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **27 Waterside Lane**.

This permit is issued and made subject to the following conditions:

- 1) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2) Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
- 3.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
- 4.) This IWWA permit approval shall be stripped onto the final set plan.
- 5.) The applicant shall retain a qualified landscape design professional to oversee construction of all improvements and landscaping and certify they have been constructed in accordance with the approved plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-

60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer or qualified landscape design professional to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Site disturbance will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer or qualified landscape design professional. Said professional shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) Any top soil to be used will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 7) The permit shall expire if not exercised within two (2) years from the date of Issuance. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

TOWN COUNCIL REFERRALS AND REQUEST FOR REPORTS:

245 Prospect Avenue (aka 18-54 Kane Street) - Application (SDD #11-R2-15) on behalf of Prospect Plaza Improvements, LLC ("Prospect Plaza"), the owner of the property known as 18-54 Kane Street, to amend Special Development District (SDD) #11 for Proposed Façade, Landscape, Parking Lot and Signage Improvements at Prospect Plaza. (Town Council receipt on August 18, 2015. Town Council public hearing scheduled for September 24, 2015. TPZ receipt on September 9, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Maresca)(O'Donnell seated for Freeman) (Gillette seated for Seder) to **RECOMMEND APPROVAL** of the subject application.

Resolution Authorizing Execution of “Small Cell” Lease Agreement with Verizon Wireless -
Verizon Wireless to install “small cell” antenna array at Veterans’ Memorial Skating Rink to
improve service. (Town Council receipt on August 18, 2015. Town Council meeting scheduled for
September 24, 2015. TPZ receipt on September 9, 2015.)

After a detailed review of the resolution, the TPZ acted by **unanimous vote (5-0)**
Motion/O’Donnell; Second/Ahern) (Gillete seated for Seder)(O’Donnell seated for
Freeman)(Donelson seated for Maresca) (Maresca recused herself) to **RECOMMEND**
APPROVAL of the subject resolution.

TOWN PLANNER’S REPORT:

- Flood Prone Property Information & Annual FEMA CRS Update - ***Received.***
- 2015 CRCOG Bicycle & Pedestrian Counts - ***Received.***

U: shareddocs/TPZ/Minutes//2015/September9_Final